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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

11 In re Application of
12 507 SUMMIT LLC,
13 Petitioner, for an Order Pursuant to 28 U.S.C.
14 § 1782 to Conduct Discovery For Use In a
15 Foreign Proceeding.
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Case No. 23-mc-80069

**[PROPOSED] ORDER
GRANTING PETITION UNDER
28 U.S.C. § 1782**

1 This matter came before the Court upon the application (the “Application”) of 507 Summit
2 LLC, (“507 Summit” or “Petitioner”), for an Order authorizing Petitioner to obtain certain
3 documentary discovery and deposition testimony pursuant to 28 U.S.C. § 1782 (“Section 1782”).

4 The Court, having considered the Application and the supporting Memorandum of Law,
5 Declarations of Samuel Dawson and Minyao Wang, and exhibits thereto,

6 **IT IS HEREBY ORDERED** that:

- 7 1. The Application satisfies all statutory requirements of Section 1782;
 - 8 2. The discretionary factors support approval of the Application;
 - 9 3. The Application is GRANTED;
 - 10 4. Petitioner is authorized to take discovery from David Chao (“Mr. Chao”), a person
11 found in this District, by issuing a subpoena against Mr. Chao seeking the production of documents
12 substantially in the form attached to the Minyao Wang Declaration as Exhibit A;
 - 13 5. Mr. Chao shall produce the requested documents within thirty (30) days of service
14 of this Order, or such other dates as agreed between the parties, and in conformity with the Federal
15 Rules of Civil Procedure and the Local Rules of the United States District Court for the Northern
16 District of California;
 - 17 6. Mr. Chao shall appear for a deposition in compliance with the Subpoena on a
18 mutually agreeable date within a reasonable time after he confirms the final production of
19 documents in response to the Subpoena;
 - 20 7. The entry of this Order does not foreclose Mr. Chao from seeking relief under Rule
21 26 and Rule 45, if appropriate. It also does not foreclose 507 Summit from contesting the
22 appropriateness of such relief. Any Rule 45 objections shall be served on all parties and counsel of
23 record within ten days after the entry of this Order; and
 - 24 8. Until further Order by this Court, Mr. Chao shall preserve all documents, electronic
25 or otherwise, and any evidence in his possession, custody or control that contain information
26 potentially relevant to the subject matter of the foreign proceeding at issue in the Application.
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SIGNED this _____ day of _____, 2023.

UNITED STATES DISTRICT JUDGE